

JOSHPE MOONEY PALTZIK LLP

1407 Broadway, Suite 4002

New York, NY 10018

EDWARD PALTZIK

T: (212) 344-8211

C: (516) 526-0341

F: (212) 313-9478

epaltzik@jmpllp.com

July 25, 2022

**Via ECF**

The Honorable Freda L. Wolfson, U.S.D.J.  
United States District Court  
For the District of New Jersey  
Clarkson S. Fisher Building  
& U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Re: *Daniel Francisco, et al. v. Peter S. Cooke, Jr., et al.*,  
Civil Action No. 21-14575 (FLW-DEA)

Your Honor:

I represent the Plaintiffs Daniel Francisco, Ori Katzin, and Firearms Policy Coalition, Inc., in the above-referenced action. I write to respectfully request that Your Honor vacate the Stay Order issued on March 25, 2022, which administratively terminated this action pending the Supreme Court's decision in *New York State Rifle & Pistol Assn., Inc v. Bruen* ("*Bruen*"), restore the matter to the Court's active docket, and schedule a status conference. As Your Honor is aware, the Supreme Court issued its decision in *Bruen* on June 23, 2022, holding, *inter alia*, that New York's requirement that applicants for permits to carry a handgun must show "proper cause" is unconstitutional.

Therefore, under *Bruen*, the parties are in agreement that New Jersey's similar requirement at issue here— that applicants for permits to carry a handgun must show "justifiable need"— should be permanently enjoined. Additionally, in the month since the *Bruen* decision, the parties have been in regular contact negotiating a partial resolution of this matter, which, under the contemplated resolution, would be reduced to writing in the form of an "Order for Entry of Final Judgment Enjoining Enforcement of the Justifiable Need Provision of N.J.S.A. § 2C:58-4(c) and N.J.A.C. § 13:54-2.4," to be presented to Your Honor for approval. However, to the extent the parties are able to finalize this partial resolution, there would remain outstanding issues raised in Plaintiffs' Complaint subject to further litigation.

I have consulted with counsel for each of the Defendants in this action regarding this letter, and they all take no position.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "EPaltzik", with a stylized flourish at the end.

Edward A. Paltzik

Cc: All Counsel (via ECF and email)